

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EMIGRANT BANK; AND PACIFIC MERCANTILE
BANK,

Plaintiffs,

-against-

SUNTRUST BANK; TRUIST BANK; AND DOES 1
THROUGH 10, INCLUSIVE,

Defendants.

Case No. 1:20-cv-02391-PGG-OTW

JOINT STIPULATION AND SCHEDULING ORDER

WHEREAS, the Court entered a Civil Case Management Plan and Scheduling Order on April 13, 2023 (ECF No. 71, the “Case Management Plan”);

WHEREAS, by joint request of the parties, the Court granted an extension of certain deadlines in the Case Management Plan on July 27, 2023 (ECF No. 92) and a second extension of certain deadlines in the Case Management Plan on September 19, 2023 (ECF No. 106);

WHEREAS, the Parties timely exchanged their opening expert reports on December 14, 2023, and their rebuttal expert reports on January 18, 2024;

WHEREAS, the Parties are proceeding expeditiously with expert depositions but agree that they require a brief two-day extension of the deadline to complete expert depositions to accommodate the schedules of counsel and the Parties’ experts; and

WHEREAS, the requested two-day extension of the deadline to complete expert discovery will not affect the remaining case deadlines;

IT IS HEREBY STIPULATED AND AGREED, by the Parties, through their undersigned counsel, subject to the approval of the Court, that the following schedule shall govern this action and replace the operative deadlines set forth in ECF No. 106:

| <u>Event</u> | <u>Current Deadline</u> | <u>Proposed New Deadline</u> |
|--|-------------------------|-------------------------------|
| All Expert Discovery Completed | February 14, 2024 | February 16, 2024 |
| Pre-Motion Letters re Dispositive Motions Due | February 21, 2024 | February 21, 2024 (no change) |
| Oppositions to Pre-Motion Letters re Dispositive Motions Due | February 28, 2024 | February 28, 2024 (no change) |

Dated: January 31, 2024

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Dated: February 1, 2024
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*Attorneys for Defendant Truist Bank,
successor by merger to Defendant SunTrust
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SO ORDERED.



Paul G. Gardephe
United States District Judge